

#### Members

Sen. Sue Landske, Chairperson  
Sen. Ron Alting  
Sen. Joseph Zakas  
Sen. Earline Rogers  
Sen. William Alexa  
Sen. Rose Ann Antich  
Rep. Charlie Brown  
Rep. Dan Stevenson  
Rep. Linda Lawson  
Rep. Ralph Ayres  
Rep. Dan Dumezich  
Rep. Dean Mock  
Mayor Duane Dedelow



# **NORTHWEST INDIANA TRANSPORTATION STUDY COMMISSION**

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Authority: P.L. 149-1999

## **MEETING MINUTES<sup>1</sup>**

**Meeting Date:** August 30, 2000  
**Meeting Time:** 10:30 A.M.  
**Meeting Place:** State House, 200 W. Washington  
St., 233  
**Meeting City:** Indianapolis, Indiana  
**Meeting Number:** 1

**Members Present:** Sen. Sue Landske, Chairperson; Sen. Earline Rogers; Sen. Rose Ann Antich; Rep. Charlie Brown; Rep. Dan Stevenson; Rep. Linda Lawson; Rep. Dean Mock.

**Members Absent:** Sen. Ron Alting; Sen. Joseph Zakas; Sen. William Alexa; Rep. Ralph Ayres; Rep. Dan Dumezich; Mayor Duane Dedelow.

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Commission chairperson Sen. Landske called the meeting to order and asked the members of the Commission to introduce themselves.

### **I. High speed rail funding**

Sen. Landske discussed the issue of the proposed letter to the members of the Indiana Congressional delegation regarding the creation of a dedicated source of funding for high speed rail. Sen. Landske discussed the process of approval for the letter, and informed the Commission that the Personnel Subcommittee of the Legislative Council had tabled the approval of the letter, but that the Personnel Subcommittee was considering a recommendation that the Legislative Council instead send a letter of support to the Congressional delegation from the Legislative

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<sup>1</sup> Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.ai.org/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

Council. Sen. Landske added that individual legislators were free to send letters on their own.

## **II. Michigan Trains**

Sen. Landske then recognized Jim Poe of the Indiana Department of Revenue (INDOR), to review the current findings of the study of extra heavy duty trucks (also known as Michigan trains) initiated by the Indiana Department of Transportation (INDOT) and the Indiana Department of Revenue. Mr. Poe discussed the origins of the study and that the study was not yet complete. Mr. Poe discussed several questions the study hoped to answer including, "How does the (extra heavy duty truck) industry work?" and "What exactly is a Michigan train, i.e. the size, weight, description and cargo?" Throughout his remarks Mr. Poe referred to materials attached as Exhibit "A".

Several Commission members asked about the difference in allowed cargo weight in Indiana and Michigan. Mr. Poe discussed the differences in the allowed weight in Michigan and Indiana. Mr. Poe presented a series of statistics on Michigan trains, including the fact that 95% of the freight they carry is steel coils, and that 85% of the freight carried is destined to leave Indiana. Mr. Poe stated that the cargo has a carrying value of \$3 billion dollars, and provides an estimated \$86 million dollars in gross profit to the companies involved in carrying the freight. Mr. Poe continued by informing the Commission that there are 94 miles of designated extra heavy duty highways<sup>2</sup> in Indiana, and that there are 76 trucking companies that have obtained permits to engage in extra heavy duty hauling. Mr. Poe stated that these companies paid \$3.7 million dollars in permit fees. Mr. Poe also informed the Commission that estimates show that 50% of the trucks that carry weights that fall into the extra heavy duty category do not have extra heavy duty permits to carry freight.

Mr. Poe described two Michigan train problems that the Commission had identified in previous meetings. First, under the Indiana Administrative Code (105 IAC 10-2-1 and 105 IAC 10-2-2) permits cost \$42.50 and are valid for one calendar day. Second, certain operators hauling extra heavy duty freight will engage in "double loading" to maximize the profits from one trip. Mr. Poe's example of double loading was that a driver will pick up a steel coil at one steel mill, and leave the first mill at a legal weight. The driver will then drop that load at a safe staging point, and proceed to a second mill to pick up another load, also at a legal weight. The driver will then return to the staging area, connect both legal loads together, and then travel on at a now illegal weight that exceeds the maximum allowed.

Mr. Poe explained that the Administrative Code requirement that extra heavy duty permits are valid for one calendar day has been changed to a 24 hour period, thereby solving that major problem which had been discussed at length by the Commission in prior years. On the second issue, that of double loads, the departments of Revenue and Transportation are still seeking a solution.

Mr. Poe then began a discussion of the costs of extra heavy duty highways, and preventative maintenance verses repair maintenance.

Sen. Antich asked whether all Michigan trains were double trailers. Mr. Poe discussed the possible configurations of Michigan trains, and noted that not all are double trailers.

Rep. Brown asked about enforcement and the closing of the northbound scales on Interstate 65. Mr. Poe and Kathy Noland, INDOT, discussed the recent national initiative on truck scales which left each state responsible for the weighing of entering traffic only. The northbound scales were closed since, under the initiative, Illinois would have responsibility to weigh all incoming trucks. The Commission discussed scales, the lack of full employment at scales, and portable scales.

Sen. Rogers asked about the relation of the revenue generated by permit fees versus the amount of damage done to roads by the extra heavy duty loads. The Commission discussed revenue sources, and the procedures by which other states use extra heavy duty highway permits and

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<sup>2</sup> Extra heavy duty highways are either designated by INDOT under IC 9-20-5-1, or decreed by the General Assembly under IC 9-20-5-4.

revenue. Mr. Poe discussed the economics of extra heavy duty hauling, and the narrow profit margins of the trucking industry.

The Commission began a discussion of penalties and enforcement of extra heavy duty permit regulations. Mr. Poe outlined the penalty process, the plea bargains that occur, and the ultimate dismissal of charges or payment of fees. The Commission discussed enforcement and new technology. The Commission discussed the issue of creating an annual permit versus a single trip permit. Ms. Noland pointed out that even if the permit is changed to an annual license, the problem of violations of the legal weight would still remain. Ms. Noland informed the Commission that the problem of overweight trucks is present throughout the state. The Commission discussed the potential fee for an annual license.

Rep. Brown thanked the Indiana Department of Revenue and the Indiana Department of Transportation for the administrative change enacted to make extra heavy duty permits valid for 24 hours instead of one calendar day. Rep. Brown noted that this helps solve a major problem for the truck drivers carrying extra heavy duty freight.

Sen. Landske recognized Kathy Noland, INDOT. Ms. Noland began a discussion of the changes necessary if an increase in the maximum weight allowed for Michigan trains is enacted. Ms. Noland introduced David Holtz, an engineer with INDOT. Mr. Holtz and Ms. Noland discussed Exhibits "B" and "C". Mr. Holtz described the highway design process and the changes in current Indiana highways that would have to occur if the roads were to withstand an increase in vehicle weight. Mr. Holtz detailed the history of highway design, and the assumption on vehicle weight that the designs include.

The Commission discussed the costs to repair and improve existing highways to meet a change in weight. Ms. Noland explained the breakdown of the \$255,000,000 in total INDOT related projected costs to repair and improve the extra heavy duty highways in Northwest Indiana. Mr. Holtz related the cost and connections in bridge repair and improvement and the highway repair and improvement.

Sen. Antich asked if the projected \$52,000,000 for bridge related costs was too low. Mr. Holtz reiterated that part of the total projected costs also includes work on bridges. The Commission discussed obtaining rights of way for new highways and the additional costs required by the federal government for highway projects.

Sen. Rogers asked two questions concerning the information. First, is the question before the Commission whether the maximum weight of the extra heavy duty vehicles should be increased? Second, what changes in funding would be needed if indeed the weight was increased? Sen. Rogers then asked INDOT for the official INDOT position on the issue of an increased weight for extra heavy duty vehicles. Ms. Noland said INDOT does not have a position on a change in the weight, other than the request that if the change is made, then INDOT needs additional funding to make the necessary construction changes and needs a sufficient period to finish improvements before the increase in weight would take effect. Ms. Noland confirmed that the current INDOT budget does not contain funds for any changes related to an increase in the maximum weight. The Commission discussed the INDOT construction budget.

Mr. Holtz distributed Exhibit "D", and the Commission discussed extra heavy duty highway safety issues. The Commission discussed enforcement of current law and the options of weight identification decals for vehicles.

Rep. Brown urged the steel industry, the trucking industry, the unions, and the state agencies involved in transportation to come together to discuss and solve the Michigan train problems.

Rep. Stevenson asked about a possible extra heavy duty highway to Chicago. Ms. Noland replied that no acceptable safe route had been found. The Commission discussed an extra heavy duty highway to Chicago.

Sen. Landske recognized Kenny Cragen of the Indiana Motor Truck Association. Mr. Cragen

discussed the history of Michigan trains, and the need for stricter enforcement of current law. Mr. Cragen urged a complete review of the statutes and organization of extra heavy duty vehicle law, and offered several enforcement options: (1) proper use of scales; (2) better training on the use of scales; (3) use part of the Department of Revenue for enforcement purposes; (4) keep permanent scales open 24 hours a day 7 days a week; and (5) increase the use of portable scales. The Commission discussed new technology and "weigh in motion". The Commission discussed the trucking industry.

### **III. Other Commission business**

Sen. Landske discussed the letter of support for high speed rail tabled by the Personnel Subcommittee of the Legislative Council. The Commission discussed the issue.

Rep. Stevenson asked that the Northern Indiana Commuter District's citizens advisory board be placed on the agenda for a future meeting. Rep. Stevenson also asked that the status of the work on US 41 be placed on the agenda.

The Commission discussed the Lake County Regional Transportation Committee and decided to place that issue on the future agenda.

Sen. Landske announced that magnetic levitation technology as applied to the advancement of high speed rail technology would be on the future agenda.

The Commission discussed proposed hovercraft transportation from Northwest Indiana to Chicago, and Sen. Landske added that discussion to the future agenda.

### **IV. Commission's future meeting schedule**

Sen. Landske discussed future meeting dates with the Commission and set up the following meetings:

- 1) September 27 at 10:30 a.m., at the Aquatorium at Marquette Park in Gary, Indiana
- 2) October 12 at the South Bend Multimodal transportation center
- 3) October 27 time and place to be announced.

Sen. Landske adjourned the meeting.